ZONING CHANGE REVIEW SHEET

CASE: C14-2015-0058 – Montopolis Alcala Family

P.C. DATE: July 14, 2015

ADDRESS: 1318 Montopolis Drive; 1306 Vargas Road

DISTRICT AREA: 3

OWNER/APPLICANT: Johnny Hyde

AGENT: Michael Jo Newman

ZONING FROM: CS-NP; GR-NP

TO: SF-3-NP

AREA: 2.11 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant family residence – neighborhood plan (SF-3-NP) combining district zoning.

PLANNING COMMISSION RECOMMENDATION:

July 14, 2015:

ISSUES:

The Montopolis Neighborhood Plan Contact Team has submitted a letter in support of the neighborhood plan amendment and rezoning requests. Please refer to correspondence attached at the back of this packet.

DEPARTMENT COMMENTS:

The rezoning area is developed with a single family residence, although at one time it was occupied with commercial uses, and has had general commercial services – neighborhood plan (CS-NP) and community commercial – neighborhood plan (GR-NP) district zonings since the mid-1980s. Access is taken to Vargas Road. There is undeveloped land and single family residences facing Porter Street to the north (GR-NP; SF-3-NP); single family residences across Vargas Road to the east (SF-3-NP); automobile and boat storage and undeveloped land to the south (SF-3-NP); and a grocery store and a parking area on Montopolis Drive to the west (GR-NP). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant has requested family residence – neighborhood plan (SF-3-NP) district zoning consistent with the current use of the property. The SF-3 zoning district is consistent and compatible with the surrounding uses that access Vargas Road and are developed with single family residences.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES	
Site	GR-NP; CS-NP	One single family residence, Greenhouse and associated	
	<u> </u>	structures	
North	SF-3-NP	Single family residences	
South	SF-3-NP	Single family residences; Automobile and boat storage	
East	SF-3-NP	Single family residences	
West	GR-NP; SF-3-NP	Parking area; Grocery store; Undeveloped; Office	

NEIGHBORHOOD PLAN AREA: Montopolis

TIA: Is not required

WATERSHED: Carson Creek – Suburban

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

299 – The Crossing Gardenhome Owners Association

477 – El Concilio Mexican-American Neighborhoods 511 – Austin Neighborhoods Council

634 - Montopolis Area Neighborhood Alliance

742 – Austin Independent School District 774 – Del Valle Independent School District

1145 - Carson Ridge Neighborhood Association 1179 - Vargas Neighborhood Association

1181 - Larch Terrace Neighborhood Association 1228 - Sierra Club, Austin Regional Group

1236 – The Real Estate Council of Austin, Inc. 1255 – Pleasant Valley

1258 – Del Valle Community Coalition 1321 – Montopolis Tributary Trail Association

1339 – Montopolis Neighborhood Association 1340 – Austin Heritage Tree Foundation

1357 – Montopolis Community Alliance 1363 – SEL Texas

1424 – Preservation Austin 1444 – East Austin Conservancy

1447 – Friends of the Emma Barrientos MACC 1528 – Bike Austin

SCHOOLS:

Allison Elementary School Martin Middle School

Eastside Memorial High School at the Johnston Campus HS

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-93-0017 -	SF-3 to GR	To Deny GR	Denied GR (04-01-
Benco Auto Shop -			1993).
1411 Montopolis			100
Dr			

Page

RELATED CASES:

The CS-NP zoned property fronting Vargas Road is platted as Lot 4, Block 7, Chernosky Subdivision No. 15, a subdivision recorded in December 1949 (C8-1949-1935). The GR-NP zoned property is a portion of the Lot 2, Lopez Addition, a subdivision recorded in August 1960 (C8s-1960-085). The entire rezoning area, as well as GR-NP zoned area to the north and west (the grocery store and the parking area at the southeast corner of Montopolis Drive and Porter Street) was approved for GR and CS zonings on August 1, 1985 (C14-84-273).

The subject property is within the boundaries of the Montopolis Neighborhood Planning Area. On the adopted Future Land Use Map, the CS-NP portion of the rezoning area is designated as Single Family and the GR-NP portion is designated as Commercial (NP-01-0005). There is a Neighborhood Plan Amendment case in process to change the FLUM from Commercial to Single Family for the GR-NP zoned portion (NPA-2015-0005.01).

On September 27, 2001, the –NP combining district was appended to the existing CS and GR base districts (C14-01-0060 – Ordinance No. 010927-28). The Cottage Lot, Secondary Apartment and Urban Home infill tools were adopted as part of the Montopolis Neighborhood Plan Rezonings.

There are no site plan cases on the subject property.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	ADT
Montopolis Drive	70 feet	MAD-4	Arterial	15,030
Vargas Road	60 feet	41 feet	Collector	3,471

- Montopolis Drive is classified in the Bicycle Plan as Bike Route No. 65. Vargas Road is classified in the Bicycle Plan as Bike Route No. 165.
- Capital Metro bus service (Route No. 004) is available along Montopolis Drive and Vargas Road.
- There are existing sidewalks along Montopolis Drive and Vargas Road.

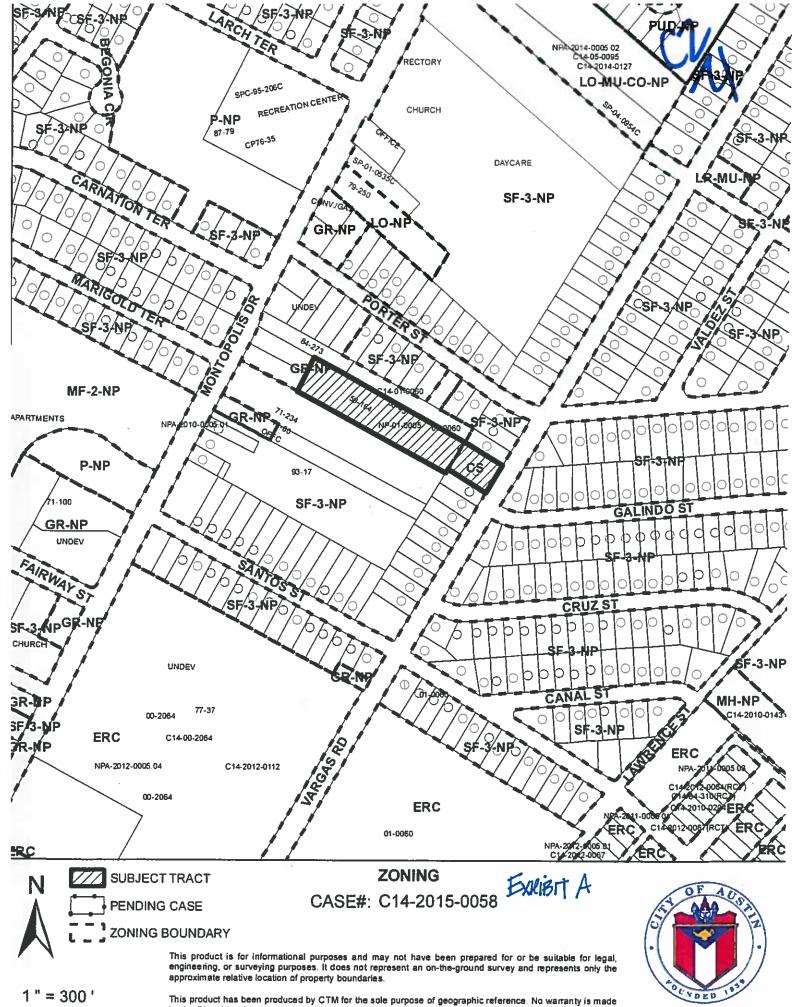
CITY COUNCIL DATE: August 13, 2015 ACTION:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades PHONE: 512-974-7719

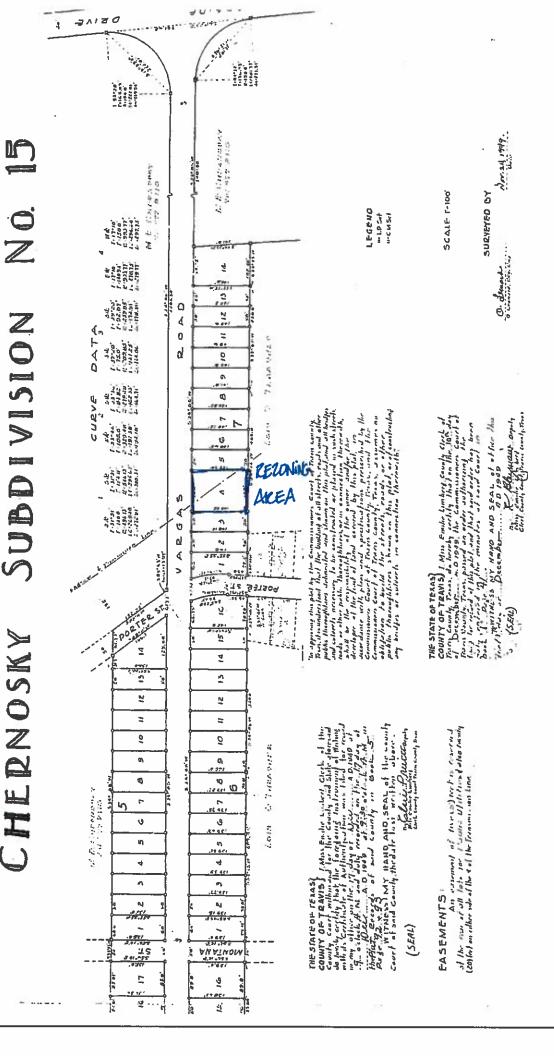
e-mail: wendy.rhoades@austintexas.gov



by the City of Austin regarding specific accuracy or completeness.



<u> 08-1949 - 1935</u>



EXMIBIT B RECORDED PLAT STATE OF TEXAS::

STATE OF TEXAS::

COUNTY OF TRAVIS:: KNOW ALL MEN BY THESE PRESENTS: COUNTY OF TRAVIS::

THAT I, JOSE A. LOPEZ, GWNEP OF THAT TWO ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT THAT OF LAND OUT OF THE SANTINGO OF TALLE SANT LIN TRAVIS COUNTY, TEXAS, CONVEYED TO ME BY DEED RECORDED IN VOL. 2216; PAGE 22, OF THE DEED RE-CORDS OF TRAVIS COUNTY, TEXAS, DO HEREBY ADOPT THIS AS MY SUBDIVISION THEREOF, TO BE KNOWN AS THE

LOPEZ ADDITION

AND I DO HEREBY DEDICATE TO THE PUBLIC ALL STREETS ON THIS THE 164 AND EASEMENTS SHOWN HEREON.

WITNESS BY HAND ON THIS THE 16 14 DAY OF

August, A.D. 1960.

APPROVED FUR ACCEPTANCE Augus

me DIRECTOR OF

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANAING COMMISSION OF THE CITY OF AUSTIN, TEXAS

1960. David B. Barrow

BEFORE WE THE UNDERSTONED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOSE A. LOPEZ, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SIGNED TO THE FOREGOING IN-STRUMENT, AND HE ACKNOWLEDGED TO ME THAT HE SIGNED IT FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE

DAY OF AUGUST.

A. D. 1960

PUBLIC, TR-L TEXAS.

AUGUST 16, 1960

THIS IS TO CERTIFY THAT I HAVE SURVEYED THE PROPERTY HEREON DESCRIBED AND SUBDIVIDED LT IN ACCORD WITH THE SUBDIVISION OR-DIMANCE OF THE CITY OF AUSTIN, TEXAS.

Derk DOAK PAINEY, P. S. AND P. E.

STATE OF TEXAS::

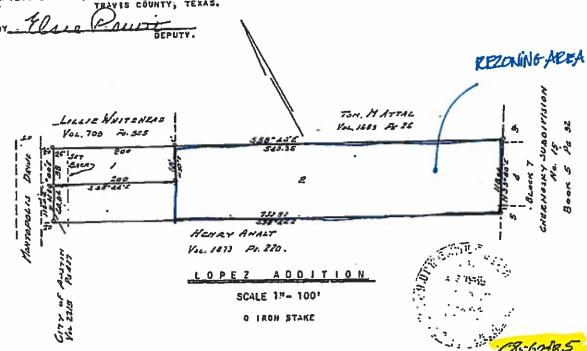
COUNTY OF TRAVIS::

I, EMILIE LIMBERG, COUNTY CLERK AND CLERK OF THE COUNTY COURT, FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IN-3 CRUMENT OF WRITING, WITH ITS CERTIFICATE OF AUTHENTICATION, WAS FILED FOR RECORD IN

DAY OF CLUS, A. O. 1960, AT O CLOCK AM., AND DU-MY OFFICE OH THE D..1960, AT LX RECORDED ON THE 26 DAY OF QUE, PAGE 70.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY COURT OF SAID COUNTY, THE DATE LAST WRITTEN ABOVE.

EMILIE LIMBERG, COUNTY CLERK AND CLERK OF THE COUNTY COURT TRAVES COUNTY, TEXAS.



Jus : 6-60 RCCHB <u>~~</u> + 1278

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant family residence – neighborhood plan (SF-3-NP) combining district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. The proposed zoning should be consistent with the purpose statement of the district sought.

The family residence (SF-3) district is the designation for a moderate density single-family residential use and a duplex use on a lot that is a minimum of 5,750 square feet. An SF-3 district designation may be applied to a use in an existing single-family neighborhood with moderate sized lots or to new development of family housing on lots that are 5,750 square feet or more. A duplex use that is designated in an SF-3 district is subject to development standards that maintain single-family neighborhood characteristics.

- 2. Zoning changes should promote compatibility with adjacent and nearby uses.
- 3. Zoning should be consistent with approved and existing residential densities.

The SF-3 zoning district is consistent and compatible with the surrounding uses that access Vargas Road and are developed with single family residences.

EXISTING CONDITIONS

Site Characteristics

The subject property contains one single family residence, is sparsely vegetated and relatively flat. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the SF-3 zoning district is 45%, which is based on the more restrictive zoning regulations.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Carson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:



Development Classification	% of Gross Site Area	% of Gross Site Area with Transfers
Single-Family	50%	60%
(minimum lot size 5750 sq. ft.)	2	
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%



According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

Site Plan and Compatibility Standards

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

There are Single Family residences (zoned SF-3) within 540 feet of the site along all lot lines. Currently, compatibility standards apply to the north, south, east, and west, as follows:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

• For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet of height are allowed plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.

- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- Additional design regulations will be enforced at the time a site plan is submitted.

OVERLAYS

The site is located within Austin-Bergstrom Overlay (Controlled Compatible Land Use Area). No use will be allow that create electrical interference with navigational signals or radio communications between airport and aircraft, make it difficult for pilots to distinguish between the airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and incompatible uses with each Airport Overlay zone are established in the Airport Overlay Ordinance. For more information, contact Joe Medici, Airport Planner at 512-530-6563. Approval from ABIA is required prior to site plan approval.

Transportation

No additional right-of-way is needed at this time.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC, 25-6-113].

Water and Wastewater

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.



Montopolis Neighborhood Plan Contact Team (MNPCT)



May 3RD, 2015

Ms. Maureen Meredith
Neighborhood Planning & Zoning Department
P O Box 1088
Austin, TX 78767

RE: Zoning request for properties 1318 Montopolis Driver & 1306 Vargas Road to Single Family (SF-3). Plan Amendment for property at 1318 Montopolis Drive to Single Family.

Dear Ms. Meredith,

The Montopolis Neighborhood Plan Contact Team (MNPCT) held its meeting on May 2nd, to review several zoning request and Plan Amendment Request for out-of-cycle. The MNPCT reviewed Michael Jo Newman and Johnny Hyde's request to rezone properties located at 1318 Montopolis Drive and 1306 Vargas Road from Commercial Service to Single Family. The MNPCT also reviewed request for Plan Amendment from Commercial Service to Single Family for property located at 1318 Montopolis Drive. After a lengthy discussion the MNPCT voted to approve the rezoning and Plan Amendment for out-of-cycle request. The MNPCT supports zoning change from Commercial Service to Single Familiy for properties located at 1318 Montopolis Drive and 1306 Vargas Road and approved Plan Amendment for property located at 1318 Montopolis Drive.

Sincerely,

Susana Almanza

Susana Almanza

President- Montopolis Neighborhood Plan Contact Team
6103 Larch Terrace

Austin, TX 78741
512/401-3311

Cc: MNPCT